

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

CROWN CASTLE FIBER LLC,

Complainant,

v.

COMMONWEALTH EDISON COMPANY,

Respondent.

Proceeding Number 19-170

Bureau ID Number EB-19-MD-005

**COMPLAINANT’S SECOND SET OF INTERROGATORIES FOR POLE
ATTACHMENT RATE COMPLAINT**

Pursuant to 47 C.F.R. § 1.730, Crown Castle Fiber LLC (“Crown Castle”)(“Crown Castle”), requests that Defendant Commonwealth Edison Company (“Complainant” OR “ComEd”), respond to the following interrogatories within twenty (20) days of service. These interrogatories are governed by the following definitions and instructions:

DEFINITIONS

1. The terms “ComEd,” “You,” “Your,” or “Yourself,” as used herein, mean the Commonwealth Edison Company and any employees, members, agents, elected officials, appointed officials, and any other persons acting on Your behalf or under Your direction or control who could reasonably be expected to have personal knowledge that would affect the completeness and accuracy of responses made to these interrogatories.
2. The terms “Crown Castle,” or “Complainant,” as used herein, mean Crown Castle Fiber LLC.
3. The term “Sunesys” means Sunesys, Inc.

4. The term “Lighttower” means Sidera Networks d/b/a Lighttower Fiber Networks.
5. “And” and “or” as used herein are inclusive, and shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the request matters that might otherwise be construed to be outside its scope.
6. The terms “any” and “all” shall each mean “any and all”.
7. The term “communication,” as used herein, means and includes any transmission or exchange of information between two or more persons, whether orally or in writing, and including without limitation all oral, visual, or other sensory (including electronic) means of transmitting information, messages, or statements. Communications are included within the scope of the definition of documents above.
8. “Describe,” “discuss,” or “analyze,” when used with reference to a request for documents, means any document that, in whole, in part, or in any way, characterizes, evaluates, appraises, assesses, refers to, relates to, regards, characterizes, alludes to, responds to, is connected with, comments on, is about, contrasts, compares, contradicts, analyzes, or in any way pertains to or provides a general explanation of the specified subject.
9. “Including” means including but not limited to.
10. “Information” means data of any kind recorded in any language, including machine language and recorded numerically, and in any form of expression.
11. The terms “identify,” “identity,” “identification,” “state,” “describe,” or “explain,” as used herein,
 - a. in the case of a document, either the title of the document, the author, the title or position of the author, the addressee, the title or position of the addressee, the type of document, the date it was prepared, the number of pages it comprises, and the identity

of all persons indicated as receiving copies of the document, its subject matter, its present location or custodian,

b. when used with respect to a fact, event, or action shall mean to provide the complete and full details (including date, time, and place) concerning such fact, event, or action, including the identity, as defined above, of all documents, communications, and persons that reflect, refer, relate, evidence, or pertain in any way to such fact, event, or action.

c. in the case of geographic boundaries, location, or coverage, a narrative description with sufficient detail to render the description identifiable, or if one is already in existence, a map, drawing, or other visual/graphic depiction of the area.

12. The terms or phrases “identify,” “describe,” “state the factual basis for,” or “state the legal basis for,” as used herein, when used with respect to an allegation, contention, or claim, shall mean to provide the complete and full details concerning or supporting the allegation, contention, or claim, including the identity, as defined above, of all persons with knowledge and all documents that reflect, refer, relate, evidence, or pertain in any way to the allegation or contention; the legal bases for such allegation, contention, or claim; any evidence or conduct that supports the allegation or contention; and, if you have secured a written, oral, or recorded statement concerning the allegation or contention, the person who gave the statement, the person to whom the statement was made, the date, time, and place the statement was given, and the statement’s form and present location.

13. The term “document,” as used herein, means and includes without limitation the following items, whether printed, microfilmed, electronically recorded in sound and/or pictures, stored in computer memory or in a computer database, or reproduced by any process, or written or

produced by hand, and regardless of whether claimed to be privileged or confidential or personal: guidelines, instructions, letters, correspondence, memoranda, reports, summaries, notes, notebooks, sketches, prints, photographs, printed forms, manuals, brochures, diaries, books, lists, publications, agreements, working papers, internal and external communications, forecasts, statistical statements, graphs, charts, plans, drawings, minutes or records of meetings or conferences, policy statements, circulars, and any and all other writings. The above includes any and all other materials of any tangible medium of expression and original or preliminary notes, including drafts, typings, printings, minutes, or copies or reproductions thereof that are now or have ever been in Your possession, custody or control.

14. The terms “relating to,” “relate(s),” “related to,” or “concerning,” as used herein, shall mean constituting, comprising, consisting of, setting forth, describing, discussing, citing, regarding, pertaining to, mentioning, proposing, showing, disclosing, containing, analyzing, explaining, summarizing, supporting, evidencing, authorizing, concerning, embodying, reflecting, identifying, incorporating, considering, recommending, continuing, enumerating, dealing with, commenting on, referring to directly or indirectly, dealing with, or in any way pertaining to, in whole or in part.

INSTRUCTIONS

1. In answering these interrogatories, furnish all information, however obtained, including hearsay, that is available to You, including information known by or in the possession of Yourself, Your employees, subcontractors, experts, Your attorney, or appearing in Your documents, not merely information within the personal knowledge of the individual(s) executing Your answers to these interrogatories.

2. If You cannot answer the following interrogatories in full after exercising due diligence to secure the information, so state, and answer to the extent possible. Specify the reason for Your inability to answer the remainder, and state whatever information or knowledge You have concerning the unanswered portion.

3. To the extent You consider any of the following interrogatories, or subparts thereof, to be objectionable, answer that portion of the interrogatory, or subpart thereof, to which You have no objection and separately state the portion of the interrogatory, or subpart thereof, to which You have an objection and state the specific grounds therefore.

4. Should You claim a privilege in connection with any of Your responses, You shall identify the privilege claimed and produce an index identifying any document(s) withheld under a claim of privilege (in the manner indicated by the definition of “Identify” above). You shall state all facts that demonstrate why the information or the document(s) sought by any of the following interrogatories are entitled to the privilege asserted. Failure to produce the required index or to state the facts supporting the claim of privilege shall be a waiver of any privilege as to the information or document(s) withheld.

SECOND SET OF INTERROGATORIES

1. For yearend reporting to FERC for years 2017 and 2018, did ComEd credit Accounts 411.1 and debit Accumulated Deferred Income Taxes with amounts equal to any allocations of deferred taxes originating in prior periods or any current deferrals of taxes on income, as provided by the texts of accounts 190, 281, 282, and 283 in accordance with 18 C.F.R. § Pt. 101, special instructions, accounts 410.1, 410.2, 411.1, and 411.2.

2. Identify to which FERC account does ComEd book the value of replaced poles for which it has received compensation from attaching entities, including Crown Castle.

3. If ComEd books the value of replaced poles for which it has received compensation from attaching entities to FERC account 364, identify what percentage of Account 364 reflects such compensation from attaching entities for value of replaced poles for years 2012 through the present.

Respectfully submitted,

/s/ T. Scott Thompson
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Date submitted: August 5, 2019

RULE 1.721(m) CERTIFICATION

I, T. Scott Thompson, Complainant Crown Castle Fiber LLC verify that I have read this Second Set of Interrogatories and to the best of my knowledge, information, and belief formed after reasonable inquiry, the Second Set of Interrogatories is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification or reversal of existing law. The Second Set of Interrogatories is not interposed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of the proceeding.

/s/ T. Scott Thompson

T. Scott Thompson

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Attorney for Crown Castle Fiber LLC

Date submitted: August 5, 2019

CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2019, I caused a copy of the foregoing Second Set of Interrogatories to be served on the following (service method indicated):

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/S/ T. Scott Thompson
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